United Nations A/60/820–S/2006/265

General Assembly
Security Council

Distr.: General
26 April 2006
English
Original: Spanish

General Assembly
Sixtieth session
Agenda items 106, 107 and 108

Crime prevention and criminal justice

International drug control

Measures to eliminate international terrorism

Security Council
Sixty-first year

Letter dated 24 April 2006 from the Chargé d'affaires a.i. of the Permanent Mission of Panama to the United Nations addressed to the Secretary-General

On instructions from the Government of the Republic of Panama, I transmit to you herewith the Panama Declaration on International Cooperation against Terrorism and Transnational Organized Crime, adopted by the delegations of Colombia, Costa Rica, the Dominican Republic, El Salvador, Guatemala, Honduras, Nicaragua and Panama at the Ministerial Conference on International Cooperation against Terrorism and Transnational Organized Crime, held from 4 to 7 April 2006 in Panama City, Republic of Panama (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly under agenda items 106, 107 and 108, and of the Security Council.

(*Signed*) Giancarlo **Soler Torrijos**
Ambassador
Deputy Permanent Representative
Chargé d'affaires a.i.

06-32877 (E) 020506 020506

Annex to the letter dated 24 April 2006 from the Chargé d'affaires a.i. of the Permanent Mission of Panama to the United Nations addressed to the Secretary-General

Ministerial Conference on International Cooperation against Terrorism and Transnational Organized Crime

Panama City, Panama, 7 April 2006

Panama Declaration

The delegations of Costa Rica, the Dominican Republic, El Salvador, Guatemala, Honduras, Nicaragua and Panama, participating in the Ministerial Conference on International Cooperation against Terrorism and Transnational Organized Crime (hereafter referred to as the Ministerial Conference) and Colombia, current Chair of the Inter-American Committee against Terrorism, meeting in Panama City from 4 to 7 April 2006;

Noting with gratification the work of the United Nations Office on Drugs and Crime (UNODC) and the Inter-American Committee against Terrorism of the Organization of American States, which organized and coordinated this Conference;

Recognizing also the presence of the Executive Directorate of the Counter-Terrorism Committee, the International Monetary Fund, the Office of the United Nations Commissioner for Human Rights, INTERPOL, the International Maritime Organization, the Latin American Institute for the Prevention of Crime and the Treatment of Offenders, the European Union, the Central American Integration System and the Audiencia Nacional de España;

Emphasizing the work of the UNODC Terrorism Prevention Branch in the provision of technical assistance and support to criminal justice systems in order to enable them to fulfil the obligations deriving from the universal counter-terrorism instruments;

Emphasizing also the work of the Counter-Terrorism Committee of the United Nations Security Council and of its Executive Directorate relating to the evaluation of the implementation of resolutions 1373 (2001) and 1624 (2004) and its functions with regard to the coordination of technical assistance and the promotion of best practices in combating terrorism;

Reaffirming, in accordance with Security Council resolutions 1373 (2001) and 1566 (2004) the clear condemnation of terrorism in all its forms and manifestations; whatever its origin or motivation, in accordance with the principles of general international law, especially the Charter of the United Nations, international conventions and other instruments; and likewise condemns, in accordance with Security Council resolution 1624 (2005), incitement to commit terrorist acts;

Reaffirming also that it is important for States to ensure that all counter-terrorism measures adopted are in conformity with the obligations of international humanitarian, refugee and human rights law;

Convinced that the strengthening of international cooperation is an absolute priority in combating terrorism and transnational organized crime;

Noting with gratification the adoption of the International Convention on the Suppression of Acts of Nuclear Terrorism on 13 April 2005 during the fifty-ninth session of the United Nations General Assembly, and its opening for signature and ratification at the 2005 World Summit,

Concurring with the conclusions of the 2005 World Summit organized on the occasion of the sixtieth session of the General Assembly, which emphasized the role of the United Nations in combating terrorism and the importance of regional and bilateral cooperation in that field,

Emphasizing the entry into force of the Palermo Convention of 29 September 2003, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, of 25 December 2003, and the Protocol against the Smuggling of Migrants by Land, Sea and Air of 28 January 2004, which are effective instruments of international cooperation in combating transnational organized crime;

Endorsing the Bangkok Declaration, adopted by the eleventh United Nations Congress on Crime Prevention and Criminal Justice, held in Bangkok from 18 to 25 April 2005, and particularly its terrorism component;

Stressing the importance of the San Carlos Declaration on Hemispheric Cooperation for Comprehensive Action to Combat Terrorism, adopted at the sixth regular session of the Inter-American Committee against Terrorism, held in Bogota D.C. from 22 to 24 March 2006;

Recalling United Nations General Assembly resolution 60/43 of 6 January 2006 which requests the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime in Vienna to continue its efforts to enhance, through its mandate, the capabilities of the United Nations in the prevention of terrorism, and recognizes, in the context of Security Council resolution 1373 (2001), its role in assisting States in becoming parties to and implementing the relevant international conventions and protocols relating to terrorism, including the International Convention for the Suppression of Acts of Nuclear Terrorism, and in strengthening international cooperation mechanisms in criminal matters related to terrorism, including through national capacity-building;

Emphasizing also General Assembly resolution 58/140 of 22 December 2003, which invites all States to support the activities of the United Nations Crime Prevention and Criminal Justice Programme, through contributions to the United Nations Crime Prevention and Criminal Justice Fund, or through direct voluntary contributions to those activities;

Declare that:

1. We recognize the importance of the international counter-terrorism instruments and the United Nations Convention against Transnational Organized Crime and the Protocols thereto. In that connection, we urge States which have not done so to consider ratifying them;

2. We urge the States participating in this Ministerial Conference which have not yet done so to adopt in their internal order the legal norms necessary for the effective implementation of the international instruments aimed at combating terrorism and transnational organized crime, in particular the aspects relating to the

characterization of offences, the exercise of jurisdiction and international judicial cooperation;

3. We stress the importance of the principle of due process and respect for human rights in criminal proceedings relating to terrorism and transnational organized crime and the need to ensure the protection of those involved in the process and of victims, particularly women, children and older persons;

4. We urge the States participating in this Ministerial Conference to continue collaborating with the Counter-Terrorism Committee of the United Nations Security Council, pursuant to resolutions 1373 (2001) and 1624 (2005), with the Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities, and with the Committee established pursuant to resolution 1540 (2004) concerning the transfer of weapons of mass destruction to non-State actors;

5. We urge the States participating in this Ministerial Conference which have not yet done so to submit to the Office of Treaty and Legal Affairs of UNODC the questionnaires on the application of the United Nations Convention on Transnational Organized Crime, and the questionnaires on the application of the Protocols thereto, in accordance with the decisions taken by the Conference of Parties to the Convention at its various sessions;

6. We urge the States participating in this Ministerial Conference to adopt all necessary national measures to ensure the most comprehensive and rapid mutual assistance in connection with criminal investigations or proceedings aimed at combating terrorism and transnational organized crime so as to comply with the treaties, including assistance in the gathering of necessary evidence in such proceedings;

7. We invite States to consider adopting the measures necessary for the improved use of INTERPOL Red Notices and the INTERPOL I-24/7 communications system as alternative channels for the transmission of requests for extradition and mutual legal assistance;

8. We urge all the countries of Ibero-America to strengthen the Ibero-American Legal Assistance Network (IberRED) as an efficient instrument for facilitating and accelerating judicial assistance and cooperation in the region;

9. We invite the States participating in this Ministerial Conference to strengthen operational cooperation among the competent agencies, in particular through multilateral or bilateral arrangements for the prevention and suppression of terrorist attacks, in accordance with the relevant provisions of Security Council resolution 1373 (2001);

10. We invite donor countries and international and regional organizations to provide technical, financial and material assistance to support the efforts of the States participating in the Ministerial Conference with a view to the ratification of, accession to and implementation of the United Nations Convention on Transnational Organized Crime, the Protocols thereto and the international counter-terrorism instruments;

11. We stress the importance of strengthening national, subregional, regional and international coordination and cooperation measures and mechanisms to prevent, combat and eliminate terrorism and transnational organized crime. To that

end, we urge the international community to provide technical and financial assistance so as to enable criminal investigations to be conducted successfully;

12. We request the United Nations Office on Drugs and Crime and the Inter-American Committee against Terrorism, to continue jointly providing technical assistance to the States participating in this Ministerial Conference with a view to the ratification and implementation in their respective legislations of the universal counter-terrorism instruments;

13. We also request the United Nations Office on Drugs and Crime to increase its technical assistance and, together with the Inter-American Committee against Terrorism, to develop training programmes for judicial officials, police officers and other civil servants involved in implementing the universal counter-terrorism instruments, and the United Nations Convention against Transnational Organized Crime and the Protocols thereto, as well as programmes aimed at national legislatures;

14. We recommend the dissemination to Spanish-speaking countries of the UNODC Guide for the legislative incorporation and implementation of the universal counter-terrorism instruments;

15. We urge the relevant United Nations programmes, funds and agencies, particularly the United Nations Development Programme, the international financial institutions, especially the International Monetary Fund and the World Bank, and regional and national financial agencies to support the technical assistance activities in the area of crime prevention and criminal justice conducted jointly by the UNODC and the Organization of American States;

16. We invite the International Monetary Fund to provide technical assistance to countries at their request in order to continue strengthening the implementation of international obligations and standards in the effort to combat money-laundering and the financing of terrorism;

17. We draw the attention of the international community to the importance of appropriate institutional development programmes, support for criminal justice systems including the prison system, and promotion of the rule of law, which are important instruments for combating crime in all its forms and terrorism;

18. We express our sincere thanks to the Government of the Republic of Panama for having hosted and supported this Ministerial Conference, held in Panama City, Panama, from 4 to 7 April 2006, and to the United Nations Office on Drugs and Crime and the Inter-American Committee against Terrorism of the Organization of American States, which jointly organized this Conference.

Panama City, 7 April 2006

United Nations

A/60/821

General Assembly

Distr.: General
26 April 2006

Original: English

Sixtieth session
Agenda item 112 (e)
Elections to fill vacancies in subsidiary organs and other elections: election of 47 members of the Human Rights Council

Note verbale dated 6 April 2006 from the Permanent Mission of Ghana to the United Nations addressed to the Secretary-General

The Permanent Mission of the Republic of Ghana to the United Nations presents its compliments to the Secretary-General of the United Nations and with reference to the Human Rights Council election scheduled to take place on 9 May 2006 has the honour to convey the decision of the Government of the Republic of Ghana to present its candidature for election to the Human Rights Council.

06-32856 (E) 010506

Annex to the note verbale dated 6 April 2006 from the Permanent Mission of Ghana to the United Nations addressed to the Secretary-General

The Permanent Mission of the Republic of Ghana to the United Nations presents its compliments to the President of the General Assembly and with reference to the first election of the members of the newly established Human Rights Council scheduled to be held on 9 May 2006, has the honour to submit an aide-memoire on Ghana's voluntary pledges and commitments for the promotion and protection of human rights in accordance with paragraph 8 of General Assembly resolution 60/251 of 15 March 2006 (see enclosure).

Enclosure

Aide-memoire: Ghana's voluntary pledges and commitments

Respect for human rights has constituted a strong basis of Ghana's foreign policy from the time of independence to the present date, and still remains a high priority. During its membership for three consecutive terms, Ghana effectively participated in the work of the Commission on Human Rights.

The strides we have made in the area of democracy, human rights and the rule of law and good governance have also carved for us the image of a highly democratic African country. Ghana was both the first member of the African Union to subscribe to the African Peer Review Mechanism of the New Partnership for Africa's Development and the only country so far to have undergone a peer review.

At the national level, the 1992 Constitution of the Republic of Ghana, which remains a fundamental law of the land, reaffirms the fundamental importance of respecting all human rights and fundamental freedoms of all its citizens, consistent with international law. Every person in Ghana, whatever his race, place of origin, political opinion, colour, religion, creed or gender is entitled to:

- Fundamental human rights and freedoms
- Protection of right to life
- Protection of personal liberty
- Protection from slavery and forced labour
- Equality and freedom from discrimination
- Protection of privacy of home and other property
- Fair trial
- Protection from deprivation of property
- General fundamental freedoms
- Property rights of spouses
- Administrative justice
- Economic rights
- Educational rights
- Cultural rights and practices
- Women's rights
- Children's rights
- Rights of disabled persons
- Rights of the sick.

In order to further prevent violations of human rights and fundamental freedoms, the Commission for Human Rights and Administration of Justice was established as a redress machinery under our 1992 Constitution. The functions of the Commission include:

- Investigating complaints of violations of fundamental rights and freedoms, injustice, corruption, abuse of power and unfair treatment of any person by a public officer in the exercise of his official duty
- Investigating complaints concerning the functioning of the Public Services Commission, the administrative organs of the State, the Armed Forces, the Police Service and the Prison Service
- Investigating complaints concerning practices and actions by persons, private enterprises and other institutions where those complaints allege violations of fundamental rights and freedoms under the Constitution
- Taking appropriate action to call for the remedying, correction and reversal of instances of human rights abuse through such means as are fair, proper and effective
- Educating the public as to human rights and freedoms by such means as publications, lectures and symposia

In contributing to the agenda of human rights at the international level, Ghana is party to the following key international instruments relating to the universal respect for all human rights:

- International Covenant on Civil and Political Rights
- Optional Protocol to the International Covenant on Civil and Political Rights
- Second Optional Protocol to the International Covenant on Civil and Political Rights
- International Covenant on Economic, Social and Cultural Rights
- Convention on the Elimination of All Forms of Discrimination against Women
- Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women
- Convention on the Elimination of All Forms of Racial Discrimination
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
- Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
- Convention on the Rights of the Child
- Optional Protocol to the Convention on the Rights of the Child on children in armed conflict
- Optional Protocol to the Convention on the Rights of the Child on children, child prostitution and child pornography
- International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
- Rome Statute of the International Criminal Court
- Convention relating to the Status of Refugees
- Protocol relating to the Status of Refugees.

Over the last decade Ghana has worked closely with the United Nations High Commissioner for Refugees (UNHCR) to serve as an oasis of peace, security and stability for refugees in the West Africa subregion and has fulfilled its obligations in respect of international humanitarian law. In this connection, Ghana is a member of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees.

Ghana has contributed to the resolution of West Africa's intra-State conflicts, which have given an image of instability to the entire subregion.

As an eloquent manifestation of our commitment to gender balance and the protection of children, the Government of Ghana has created the Ministry of Women and Children's Affairs, which is currently headed by a lady of cabinet rank.

In line with its long-standing commitment to the promotion and protection of human rights, the Government of the Republic of Ghana voluntarily commits itself to the following:

- To participate actively in the work of the new Human Rights Council
- To cooperate with the new Council to establish an effective and efficient universal periodic review mechanism
- To continue to strengthen policies for the advancement of women to eliminate laws that continue to discriminate against women
- To promote the rights of the child
- To continue to contribute actively in the negotiation process for the early adoption of the draft "International Convention for the Protection and Promotion of the Rights and Dignity of Persons with Disabilities"
- To extend standing invitations to United Nations special procedures
- To continue to cooperate fully with United Nations human rights treaty bodies and to promptly submit its periodic reports.

New York, 21 April 2006

United Nations A/60/822

General Assembly

Distr.: General
26 April 2006
English
Original: French

Sixtieth session
Agenda item 112 (e)
Elections to fill vacancies in subsidiary organs and other elections: election of 47 members of the Human Rights Council

Letter dated 7 April 2006 from the Permanent Representative of Mali to the United Nations addressed to the President of the General Assembly

I have the honour to submit the candidacy of the Republic of Mali for the elections to the Human Rights Council for the period 2006-2009, to be held on 9 May 2006.

Mali's voluntary pledges and commitments will be set out in a subsequent communication (see aide-memoire).

(*Signed*) Cheick Sidi **Diarra**
Ambassador
Permanent Representative

06-32834 (E) 280406 010506

Annex to the letter dated 7 April 2006 from the Permanent Representative of Mali to the United Nations addressed to the President of the General Assembly

Further to my letter of 7 April 2006, I have the honour to transmit to you, herewith, the aide-memoire on Mali's voluntary pledges and commitments, in accordance with the provisions of General Assembly resolution 60/251 of 15 March.

(*Signed*) Issa **Konfourou**
Chargé d'affaires a.i.

Aide-memoire

Voluntary pledges and commitments by Mali in accordance with the provisions of resolution 60/251 on the Human Rights Council

Mali fully endorses respect for human rights and fundamental freedoms, as enshrined in its Constitution and the international legal instruments to which it is a party.

Mali has signed, ratified or acceded to nearly all the international legal instruments on human rights and fundamental freedoms. In accordance with its international commitments, it has submitted its initial and periodic reports to the monitoring mechanisms created for that purpose, such as the Human Rights Committee, the Committee on the Rights of the Child and the Committee on the Elimination of Discrimination against Women. Mali was the first State party to submit its initial report to the Committee on Migrant Workers.

Further to its democratization process in 1991, Mali has strengthened its institutional mechanisms for the promotion and protection of human rights and fundamental freedoms in particular, through the National Advisory Commission on Human Rights, the Ombudsman, the Private-sector Facilitator, the Higher Council on Communication and the National Committee on Equal Access to State Media. It has also reaffirmed the principle of the separation of powers and laid down clear definitions of each authority's sphere of competencies.

In 1994, Mali created a unique mechanism for the promotion and protection of human rights: the Forum for Democratic Challenges (*Espace d'interpellation démocratique*). To pay special tribute to the 1948 Universal Declaration of Human Rights on the anniversary of its adoption, the Government of Mali organizes on 10 December of every year a forum, presided over by a jury that gives citizens an opportunity to air their grievances to government officials and hear their responses. After the discussion, the jury makes recommendations whose implementation will be monitored and evaluated before the next Forum.

The Constitution reaffirms the lay nature of the Malian State. It guarantees freedom of opinion, religion, association, assembly and protest as well as the right to vote. The Constitution also guarantees freedom of the press; Mali has more than 30 private newspapers and more than 150 independent local radio stations.

Under Malian law, a detainee is entitled to legal counsel as from the preliminary investigation phase.

Article 1 of the Malian Constitution provides that "the human person is sacred and inviolable. All individuals have the right to life, liberty, security and integrity of person". In this spirit, the Government of Mali adopted a draft law in 2002 declaring a moratorium on the death penalty for a period of two years. It should be noted that, in Mali, the death penalty has not been imposed since 1984. The National Assembly of Mali currently has before it a draft law abolishing capital punishment.

Mali has taken a number of measures to strengthen the rule of law and the Government's obligation to enforce the principle of equality of all citizens in their relations with the civil service, including Act No. 98/12 of 19 January 1998 on relations between the civil service and public service users.

Mali is a member of a number of intergovernmental mechanisms for the promotion and protection of human rights, such as the Community of Democracies, which it is chairing for the period 2005-2007.

Given its tradition of unwavering commitment to the promotion and protection of human rights, the Government of Mali has decided to submit its candidacy for the Human Rights Council. If elected, Mali pledges to, inter alia:

1. stress cooperation and constructive dialogue between members and non-members of the Human Rights Council with a view to enhancing the effective execution of its mandate;

2. continue to honour its obligations to submit initial and periodic reports, under the international legal instruments to which it is a party, to the respective treaty monitoring bodies and implement their recommendations;

3. support the active participation of non-governmental organizations (NGOs) and other civil society representatives in the work of the Council;

4. encourage States that have not yet done so to become parties to the major human rights instruments and, accordingly, to comply with their obligations thereunder;

5. strengthen democracy, good governance, the rule of law and human rights through bilateral and multilateral cooperation, particularly through the United Nations;

6. cooperate fully with the procedures and mechanisms of the Human Rights Council;

7. promote the development of human rights norms; and

8. promote human rights education.

United Nations A/60/823

General Assembly

Distr.: General
26 April 2006
English
Original: French

Sixtieth session
Agenda item 26
Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Letter dated 24 April 2006 from the Permanent Representative of Algeria to the United Nations addressed to the President of the General Assembly*

I have the honour to convey to you the following document, reflecting the position of Algeria about the Secretary-General's report to the Security Council dated 19 April 2006 on Western Sahara (S/2006/249) (see annex).

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the sixtieth session of the General Assembly under agenda item 26.

(*Signed*) Youcef **Yousfi**
Ambassador
Permanent Representative

* Also circulated under the symbol S/2006/258.

06-32894 (E) 020506 020506

Annex to the letter dated 24 April 2006 from the Permanent Representative of Algeria to the United Nations addressed to the President of the General Assembly

[Original: French]

On instructions from my Government, I have the honour to transmit to you the following comments on the report on the situation concerning Western Sahara (S/2006/249) of 19 April 2006, which the Secretary-General has just submitted to the Security Council:

1. It is important to remember that the question of Western Sahara is a decolonization question under resolution 1541 (XV) on the Declaration on the Granting of Independence to Colonial Countries and Peoples. This means that it comes under the direct responsibility of the United Nations, which must, in accordance with its Charter and the practice in this matter, see the decolonization process in this Territory to its conclusion. Any other approach, aimed at depriving this people of exercising this imprescriptible right, would be a serious violation of international law and contrary to the spirit and letter of the Charter of the United Nations and the relevant United Nations resolutions adopted since 1965, which have enshrined this right, duly confirmed by the International Court of Justice.

2. The United Nations Settlement Plan, negotiated and accepted by the two parties to the conflict, the Kingdom of Morocco and Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro (Frente POLISARIO) in August 1988, and approved by the Security Council in its resolutions 658 (1990) of 27 June 1990 and 690 (1991) of 29 April 1991, as well as the Houston Accords negotiated directly between the two parties under the aegis of Mr. James Baker III, the Personal Envoy of the Secretary-General, and accepted and signed by them in September 1997 in Houston and, lastly, the Peace plan for self-determination of the people of Western Sahara, elaborated by Mr. James Baker III at the request of the Security Council and approved by the Council in its resolution 1495 (2003) of 31 July 2003, very clearly provide that the question of Western Sahara can be settled only through the expression of the sovereign will of the people of Western Sahara, who alone are capable of deciding their future through a free and fair referendum on self-determination conducted without constraints of any kind.

3. In this matter, while the United Nations initially showed integrity in seeking a lasting solution to this conflict, it later seemed to accommodate the occupying Power and its dilatory tactics and equivocation.

4. Now, on the pretext that one party has rejected the plans elaborated by the United Nations or negotiated by the parties to the conflict under its auspices and duly approved by the Security Council, the United Nations intends to withdraw from the settlement process when it bears triple responsibility — political, legal and moral — to see this decolonization question to a satisfactory conclusion.

Algeria cannot support or accept under any circumstances the shift in approach recommended by the Personal Envoy and endorsed by the Secretary-General.

5. In the same vein, Algeria deeply regrets that the United Nations, whose vocation and raison d'être are to defend law and justice, would sacrifice compliance with international law for realpolitik, suggesting that the latter has precedence over the former.

6. As a neighbouring State that attaches importance to compliance with international law and the stability of the region, Algeria has at all times supported a just and lasting settlement of the question of Western Sahara, in strict accordance with the relevant Security Council and General Assembly resolutions.

It believes that the only valid negotiations, which should be limited to the Kingdom of Morocco and Frente POLISARIO, which are the two parties to the conflict, are those which deal with the modalities for implementing the Peace plan for self-determination of the people of Western Sahara, approved by the Security Council in its resolution 1495 (2003).

In this connection, Algeria regrets that its position on the question, expressed in a letter from the President of the Republic addressed to the Secretary-General, was not reflected in the body of the report of the Secretary-General in keeping with standard practice.

7. Lastly, Algeria wishes to reaffirm its conviction that only the implementation of the Peace plan for self-determination of the people of Western Sahara, approved by the Security Council as an optimum political solution to this conflict — as it represents a delicate compromise between the positions of the two protagonists — can ensure a just and lasting settlement of the question of Western Sahara in strict accordance with the Charter of the United Nations and international law.

(*Signed*) Youcef **Yousfi**
Ambassador
Permanent Representative

A/60/824

Readex
Fiche

United Nations A/60/824

General Assembly

Distr.: General
26 April 2006

Original: English

Sixtieth session
Agenda items 69 and 71

Elimination of racism and racial discrimination

Human rights questions

Letter dated 25 April 2006 from the Permanent Representative of Japan to the United Nations addressed to the Secretary-General

With reference to the letter dated 12 April 2006 from the Permanent Representative of the Democratic People's Republic of Korea, which was circulated as a document of the General Assembly (A/60/749), I would like to express our regret over the circulation of such a letter containing unilateral and ungrounded allegations against Japan.

The Government of Japan fully recognizes the importance of facilitating a stable life for Korean residents in Japan who choose to live permanently in Japan for historical and other reasons, and has made vigorous efforts to ensure their legal status of stay and to improve frameworks affecting their lives. The measures against the General Association of Korean Residents in Japan, or *Chongryon*, were taken in strict conformity with the relevant laws and regulations concerning criminal investigation and taxation that are applicable to any organization.

The individuals to whom the authorities of the Democratic People's Republic of Korea issued warrants for arrest are those who support, from a humanitarian point of view, citizens of the Democratic People's Republic of Korea who desire to leave the country, where serious human rights violations are widespread, and to seek freedom. Their humanitarian activities are fundamentally different from acts of abduction. The Government of Japan cannot accept the demand by the Democratic People's Republic of Korea for extradition of these individuals. This unreasonable demand shows lack of respect for human rights and casts doubt on the sincerity of the authorities of the Democratic People's Republic of Korea towards the resolution of the abduction issue of the Japanese nationals. Japan has already pointed this out to the authorities of the Democratic People's Republic of Korea.

Japan is strongly committed to the protection and promotion of human rights and has promoted international cooperation to this end. Japan has invited various representatives interested in human rights issues to visit Japan. In addition, Japan has made clear its commitment to the protection and promotion of human rights in its written pledge submitted for the elections of the Human Rights Council.

06-32871 (E) 010506

has made clear its commitment to the protection and promotion of human rights in its written pledge submitted for the elections of the Human Rights Council.

The abduction issue of the Japanese nationals remains unresolved, especially with regard to the fate of those victims whose safety remains unaccounted for, and Japan is compelled to stress that the claim by the Democratic People's Republic of Korea that the abduction issue has been resolved cannot be accepted. Japan strongly requests the Democratic People's Republic of Korea to take sincere steps to achieve a comprehensive resolution to the abduction and other outstanding issues based on the Pyongyang Declaration. In addition, the authorities of the Democratic People's Republic of Korea should faithfully accept the resolution on the human rights situation in their country, which was adopted by the General Assembly as resolution 60/173, and accept a visit by the Special Rapporteur.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda items 69 and 71 of the sixtieth session.

(*Signed*) Kenzo **Oshima**
Permanent Representative
Permanent Mission of Japan to the United Nations

United Nations A/60/825

General Assembly

Distr.: General
27 April 2006

Original: English

Sixtieth session
Agenda items 46 and 120

Integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic, social and related fields

Follow-up to the outcome of the Millennium Summit

Uniting against terrorism: recommendations for a global counter-terrorism strategy

Report of the Secretary-General

I. Introduction

1. As Member States will recall, in 2004 the High-level Panel on Threats, Challenges and Change recommended in its report (A/59/565) that I promote a comprehensive global strategy against terrorism, one that would strengthen the ability of responsible States to counter terrorism and promote the rule of law, all while protecting human rights. In Madrid in March of the following year, on the one-year anniversary of the train bombings that killed and maimed more than 1,600 innocent people, I took up the challenge and set out elements of such a strategy. These consisted of five pillars: dissuading people from resorting to terrorism or supporting it; denying terrorists the means to carry out an attack; deterring States from supporting terrorism; developing State capacity to defeat terrorism; and defending human rights. Later the same month, in my report, entitled "In larger freedom: towards development, security, and human rights for all" (A/59/2005), I urged Member States to adopt a strategy along those lines.

2. In the 2005 World Summit Outcome (General Assembly resolution 60/1), Member States welcomed those elements of a strategy, and agreed to develop them further. They requested that I submit proposals to strengthen the capacity of the United Nations system to assist States in combating terrorism and to enhance the coordination of United Nations activities in this regard. In December 2005, the President of the General Assembly asked me for a report on capacity-building, as well as for additional inputs of relevance for the forthcoming work of the General Assembly on a counter-terrorism strategy.

06-33088 (E) 010506

3. In response to those requests, the present report contains recommendations for a global counter-terrorism strategy, with an emphasis on specific proposals for strengthening the capacity of the United Nations to combat terrorism. In formulating these recommendations, I have been assisted by the Counter-Terrorism Implementation Task Force, which I created in 2005 to bring together key actors in the United Nations system and its partners dealing with counter-terrorism issues. The Task Force is the first step in ensuring that United Nations departments, funds, programmes, agencies and other related entities contribute fully to counter-terrorism efforts, while maximizing synergies and avoiding duplication of work.

4. A real strategy is more than simply a list of laudable goals or an observation of the obvious. To say that we seek to prevent future acts of terrorism and that we seek better responses in the event of a terrorist attack does not amount to a strategy. Only when it guides us in the accomplishment of our goals is a strategy worthy of its name. In order to unite against terrorism, we need an operational strategy that will enable us to work together to counter terrorism. As laid out here, my recommendations for a strategy seek to both guide and unite us by emphasizing operational elements of dissuasion, denial, deterrence, development of State capacity and defence of human rights. What is common to all of these elements is the indispensability of the rule of law, nationally and internationally, in countering the threat of terrorism.

5. Inherent to the rule of law is the defence of human rights — a core value of the United Nations and a fundamental pillar of our work. Effective counter-terrorism measures and the protection of human rights are not conflicting goals, but complementary and mutually reinforcing ones. Accordingly, the defence of human rights is essential to the fulfilment of all aspects of a counter-terrorism strategy. The central role of human rights is therefore highlighted in every substantive section of this report, in addition to a section on human rights per se.

6. Victims of terrorist acts are denied their most fundamental human rights. Accordingly, a counter-terrorism strategy must emphasize the victims and promote their rights. In addition, implementing a global strategy that relies in part on dissuasion, is firmly grounded in human rights and the rule of law, and gives focus to victims depends on the active participation and leadership of civil society. Therefore, highlighted throughout this report is the role civil society can play in promoting a truly global strategy against terrorism.

II. Dissuading groups from resorting to terrorism or supporting it

7. In Madrid, I said that the United Nations, Member States and civil society must join forces to dissuade disaffected groups from choosing or supporting terrorism as a tactic. We must reinforce the inexcusability and unacceptability of terrorism, while working to address the conditions that terrorists exploit. We know that dwindling support from their constituencies has led several terrorist groups to go "out of business". We must therefore work to drive a wedge between terrorists and their immediate constituencies. We must prevent moderates from becoming militant extremists and militant extremists from becoming terrorists.

8. There has been ongoing discussion among Member States about whether terrorism can be traced to certain so-called "root causes". For the purposes of moving forward on an operational strategy to counter terrorism I hope that Member States will recognize that terrorists acts do not occur in a social or political vacuum. Let us agree, however, that there is no excuse for terrorism and that all terrorism is unacceptable. But let us also agree that we must address conditions conducive to exploitation by terrorists.

A. Terrorism is unacceptable

9. The United Nations should project a clear, principled and immutable message that terrorism is unacceptable. Terrorists must never be allowed to create a pretext for their actions. Whatever the causes they claim to be advancing, whatever grievances they claim to be responding to, terrorism cannot be justified. The United Nations must maintain the moral high ground in this regard.

10. Groups use terrorist tactics because they think those tactics are effective, and that large numbers of people, or at least those in whose name they claim to act, will approve of them. Our key task, therefore, is to reduce the appeal of terrorism among potential constituencies. In order to constrict the pool of those who may resort to terrorism, we must make absolutely clear that no cause, no matter how just, can excuse terrorism. This includes the legitimate struggle of peoples for self-determination. Even this fundamental right defined in the Charter of the United Nations does not excuse deliberately killing or maiming civilians and non-combatants. At the 2005 World Summit, Member States united for the first time to strongly condemn terrorism in all its forms and manifestations, committed by whomever, wherever and for whatever purposes, as it constitutes one of the most serious threats to international peace and security.

11. I urge political leaders to make more consistent use of the United Nations and other forums, through a culture of genuine multilateralism, to reinforce the message that terrorism can never be justified. The condemnation by the Security Council of terrorist acts, including at the level of Heads of State and Government, will continue to be crucial in this regard. Along the same lines, condemnations of terrorism by the General Assembly, especially at the level of Heads of State and Government, are particularly powerful as they carry the united message of all the world's Governments. I also urge regional organizations to use every opportunity to condemn terrorism, including at regional summits.

12. I further call on all Member States to become parties to and implement the 13 universal instruments related to the prevention and suppression of international terrorism, which, apart from their considerable practical significance, emphasize that the international community does not tolerate terrorist activities and is prepared to fight them. I also urge Member States to conclude, as soon as possible, a comprehensive convention on international terrorism, which will send a strong signal of international unity and strengthen the moral authority of the United Nations. All Member States should also fully implement Security Council resolutions on counter-terrorism, in particular resolution 1267 (1999) and its successor resolutions, resolutions 1373 (2001) and 1540 (2004).

13. One of the most powerful ways in which we can make clear that terrorism is unacceptable is to focus our attention on its victims, and ensure that their voices are heard. Our goal should be to reduce the appeal of terrorism by reclaiming the sanctity of the civilian and according justice, dignity and compassion to victims.

14. The United Nations is especially conscious of this aspect, having lost beloved colleagues to a terrorist attack in Baghdad three years ago. The Organization can and should promote international solidarity in support of victims, including by exploring the possibility of providing assistance to the victims of terrorist acts and their immediate families. I urge States to put in place a system of assistance that would promote the rights of victims and their families, by doing everything possible to reintegrate them into society and to facilitate their transition back to a dignified and fruitful life. Upon request, the relevant United Nations entities can help States to develop such a system, including by assisting with draft legislation for consideration.

15. But we must remember that victims are not simply those directly affected by terrorist attacks. Victims also include the many indirectly affected by political, economic and social dislocation. The most vulnerable in our societies are disproportionately affected by these dislocations, as they have no safety net. This is especially true in developing countries.

16. Because terrorism affects us all, we all must be involved in countering it. In this regard, civil society and religious leaders have a key role to play. Civil society has conducted impressive campaigns against landmines, HIV/AIDS, environmental degradation, the recruitment of child soldiers and impunity for war crimes. I would like to see an equally powerful global campaign against terrorism. I applaud the Club of Madrid, the independent grouping of former Heads of State and Government dedicated to strengthening democracy around the world, for organizing in 2005 an international conference on the role of democracy in countering terrorism. I am also heartened by new, transnational initiatives, such as the Citizens against Terror network, which was born out of civil society participation in the International Summit on Democracy, Terrorism and Security held at Madrid in March 2005.

17. Such a global campaign will need to be waged at the international, regional and local levels, focusing on the plight of victims and stressing other concrete negative impacts of terrorism, from the severe economic toll to the setback of development efforts to the erosion of the rule of law. Mass media have a vital contribution to make in drawing public attention to the consequences of terrorism and its impact on victims and the assistance available to them, with due concern for the right of privacy and taking into account the danger of re-traumatization.

18. A civil society campaign will need to work to convince those with genuine grievances that there exist alternative, non-violent strategies, and that these have in most cases proved more effective. Recent history offers numerous examples of non-violent opposition movements leading to significant change. Such success stories deserve to be highlighted more.

19. The United Nations can assist in the development of a civil society campaign, for example through the "culture of peace" initiative of the United Nations Educational, Scientific and Cultural Organization (UNESCO). I will also establish a focal point within the Secretariat to support a coordinated effort among civil society groups dealing with terrorism issues.

B. We must address conditions conducive to exploitation by terrorists

20. Any comprehensive counter-terrorism strategy must include a long-term component addressing conditions conducive to exploitation by terrorists to create or increase their power base. Yet none of these conditions can excuse or justify terrorist acts. Nor should such a long-term component distract us from the many important short-term measures we can adopt to prevent and counter terrorism. Even if these conditions remain constant, terrorist activity may escalate, decline or disappear. I urge research institutions around the world to invest further work in the study of the underlying dynamics of terrorism.

21. The United Nations and the international community should address the following conditions which may be conducive to exploitation by terrorists:

1. Extremist ideologies and dehumanization of victims

22. Terrorism depends on the denial of the humanity of its victims. Extremist and exclusionary ideologies that dismiss the worth and dignity of others, and portray them as subhuman and worthy of extinction, are essential tools of mobilization and recruitment. Such extremist ideologies fan a culture of violence and intolerance and increase support for terrorist groups among constituencies.

23. The United Nations has well understood the danger of those who spread extremist world views. Those who commit genocide and atrocities are also those who deny the humanity of others. The Security Council has undertaken an important effort with its resolution 1624 (2005), which aims, inter alia, at preventing the subversion of educational, cultural and religious institutions by calling upon Member States to prevent and criminalize within their territories the incitement of terrorist acts, in accordance with respective obligations under international human rights law.

24. Here, too, civil society will need to play a prominent role, by countering hypernationalistic and xenophobic messages that glorify mass murder and martyrdom. Just as the media cycle is exploited by terrorists every day, we need to take on the challenge to match their narrative of hate with the narrative of victims; the narrative of communities divided and broken by terrorist acts; the narrative of courage of those who risk their lives going about their daily business; the narrative of the values for which the United Nations stands.

25. Mass media may also wish to study the experiences of those countries that have adopted voluntary codes of conduct for journalists covering terrorism, including, for example, bans on interviewing terrorists. The United Nations stands ready to work with journalists' associations and press freedom organizations on this issue, including by convening an international conference to facilitate consideration of this topic, if so desired. In turn, Member States must give due attention to the need for measures to promote the safety and security of journalists.

26. The United Nations can also help to arrange highly visible constructive dialogues between respected representatives from different religions to counter terrorist groups' portrayal of parts of the globe as being engaged in an epic struggle between good and evil, and to reinforce the fact that the killing of civilians is antithetical to all religions. By the same token, we must be vigilant against the defamation of religions. I am encouraged by the initiative on the Alliance of Civilizations, and eagerly await its final report.

27. Finally, the United Nations should promote religious and ethnic tolerance through education, by helping States to provide all their citizens with an education that encourages free thought, tolerance and enlightened moderation as an alternative to militancy and extremism.

2. Violent conflict

28. Many terrorist groups have emerged in the context of local or regional violent conflicts, some of which serve as a rallying cry for terrorist leaders in faraway regions. Prolonged unresolved conflicts in particular often create conditions conducive to exploitation by terrorists and as such must not be allowed to fester, however intractable they might seem. In addition, suicide terrorism campaigns often occur in the context of foreign occupation or perceived foreign occupation. It follows that successful conflict resolution efforts and attention to issues arising in the context of foreign occupation or perceived occupation can help to reduce the prevalence of terrorism in the long term.

29. The United Nations has a long history of working to prevent and resolve armed conflict. The *Human Security Report 2005*[1] identified a dramatic 40 per cent reduction in armed conflicts since 1992 and attributed the achievement in part to increased United Nations peacekeeping, prevention and peacebuilding activities. Our peacekeeping resources are unique in the world and must be continually strengthened. With regard to prevention, the Department of Political Affairs and the United Nations Development Programme (UNDP), for example, have undertaken a joint programme entitled "Building National Capacity for Conflict Prevention". I commend such joint initiatives, and urge the relevant United Nations entities to continue to assist States in developing early warning systems and indicators of possible outbreaks of local or regional violent conflict.

30. Similarly, the United Nations, through my good offices and supported by the Department of Political Affairs, has built a strong record in mediating civil conflicts. As the High-level Panel on Threats, Challenges and Change pointed out in its report, there have been more negotiated settlements of civil wars in the last 15 years than in the previous 200 years. But as the Panel also pointed out, both good offices diplomacy and mediation by the United Nations can be improved and strengthened. I therefore warmly welcome recent moves to strengthen the United Nations conflict mediation capacity, including through the creation of a mediation support unit in the Department of Political Affairs, which will help to identify best practices and backstop mediation efforts in the field.

31. Once a peace agreement is concluded, we must ensure that it is implemented. At present, nearly 50 per cent of countries that have emerged out of civil wars revert to violence within five years. This is unacceptable, and led to the creation by Member States of a Peacebuilding Commission with the task of ensuring sustainable peace for societies emerging from conflict. I applaud this initiative and urge Member States to follow through by approving and providing a solid financial and organizational foundation for the Peacebuilding Support Office and the Peacebuilding Fund.

---

[1] *Human Security Report 2005: War and Peace in the 21st Century*, published for the Human Security Centre, University of British Columbia, Canada (New York, Oxford University Press, 2005).

3. Poor governance, lack of civil rights and human rights abuse

32. Terrorism often thrives in environments in which human rights are violated and where political and civil rights are curtailed. Indeed, terrorists may exploit human rights violations to gain support for their cause. Persecution and violent government crackdowns often radicalize opposition movements. The absence of non-violent channels to express discontent and pursue alternate policies may lead some groups to resort to violent means and terrorism.

33. Past cases show that Governments that resort to excessive use of force and indiscriminate repression when countering terrorism risk strengthening the support base for terrorists among the general population. Such measures generally invite counter-violence, undermine the legitimacy of counter-terrorism measures and play into the hands of terrorists. I therefore call on Governments to avoid excessive use of force and to comply with international human rights law.

34. The United Nations plays an important role in promoting good governance, the rule of law and human rights. I urge UNDP to scale up the good governance assistance it is already conducting to support economic and social development, with a view to integrating concerns about terrorism into democratic governance programming. I also applaud the decision taken by Member States at the World Summit to create a Human Rights Council, and to increase the operational capacity of the Office of the United Nations High Commissioner for Human Rights (OHCHR). I urge Member States to support the High Commissioner's efforts to build human rights capacity throughout the world.

4. Religious and ethnic discrimination, political exclusion and socio-economic marginalization

35. Exclusion or discrimination on the basis of ethnic origin or religious belief, and the failure of many countries to integrate minorities or immigrants, create grievances that can be conducive to the recruitment of terrorists, including feelings of alienation and marginalization and an increased propensity to seek socialization in extremist groups. This seems to be particularly true of young people, especially second-generation immigrants, in some developed countries, who see themselves as outsiders lacking equal opportunities. I urge countries with multicultural societies to reflect on their policies of integration.

36. Exclusion based on ethnic origin, religion or national origin is often compounded by political, as well as economic and social exclusion. On the social and economic side, particular attention should be paid to youth unemployment. Globally, young people are three times as likely to be unemployed as adults. In some countries, youth unemployment rates remain entrenched and of worrying proportions. Taken together these various types of exclusion can combine to produce a volatile mix. Marginalization, alienation and the resulting sense of victimization can propel extremism, which can in turn facilitate exploitation by terrorists.

37. The United Nations, through its development of norms and through its increasing operational capacity to address development and humanitarian concerns as well as security, political and human rights issues, can play a crucial role in helping countries to address various types of exclusion. We must pursue our development and social inclusion agendas for their own intrinsic importance, all the while knowing that if we succeed at improving inclusion and opportunity for those

marginalized, there can be a very positive side effect with respect to combating terrorism.

III. Denying terrorists the means to carry out an attack

38. Terrorists require means to carry out their attacks. The ability to generate and move finances, to acquire weapons, to recruit and train cadres, and to communicate, particularly through use of the Internet, are all essential to terrorists. They seek easy access to their intended targets and increasingly look for greater impact — both in numbers killed and in media exposure. Denying them access to these means and targets can help to prevent future attacks.

A. Denying financial support

39. Terrorists generate funds in many ways, with monies moved through both formal and informal sectors. Whereas some terrorist groups may fund their activities from drug cultivation and trafficking, terrorists operating through decentralized networks that once raised and moved money through formal channels and otherwise legitimate sources such as private business and charities are turning to methods that are more difficult to monitor, such as the use of cash couriers. In addition, we cannot overlook the fact that certain acts of terrorism require relatively minor funding — "low-budget" terrorism. Efforts to suppress the latter should focus on dissuading potential terrorists from choosing terrorism in the first place — something already discussed in a previous section of this report. On the other hand, the established approaches to anti-money-laundering and countering the financing of terrorism could be more effective for dealing with drug-financed terrorism and global networks.

40. Following the flow of money not only helps to prevent attacks, but can provide information that is useful for further investigations. The Security Council in its resolution 1373 (2001) requested all States to take the necessary measures to eliminate the financing of terrorism. The Security Council has also urged all Member States to implement the nine Special Recommendations of the Financial Action Task Force on tackling terrorist financing, and I add my voice to that call. These include important provisions about cooperating internationally and addressing the ways in which terrorists abuse the charitable sector and informal ways of moving money. I also urge all States that have not yet done so to become parties to and implement the provisions of the United Nations Convention against Transnational Organized Crime and its Protocols, which may have implications for terrorist financing.

41. One instrument central to combating the financing of terrorism efforts, the International Convention for the Suppression of the Financing of Terrorism, warrants highlighting. As at 23 April 2006, there were 153 parties to the Convention. While this represents an increase of 149 since the attacks of 11 September 2001, it is still 38 Member States too few. I urge all Member States that have not joined the Convention to do so, and to implement fully its provisions, without exception.

42. The United Nations financial sanctions system can be an important tool in ensuring effective action against terrorist financing. The Security Council has long since imposed an arms and travel ban and financial sanctions against members of Al-Qaida and associated entities, and has monitored their implementation in particular through the Security Council committee established pursuant to resolution 1267 (1999). More must be done to ensure that those sanctions target the right people and are fully enforced, and to improve the accountability and transparency of sanctions regimes. The fourth report of the Analytical Support and Sanctions Monitoring Team of the Sanctions Committee contains proposals which I encourage Member States to consider. In addition, we need to ensure that the regimes of the Committee established pursuant to resolution 1267 (1999) and the Counter-Terrorism Committee are mutually reinforcing.

B. Denying access to weapons, including weapons of mass destruction

43. Once a terrorist has money with which to plan an atrocity, he will next turn to what practical means he can use — how to get hold of a weapon. While most terrorist attacks so far have used conventional weapons, no one can disregard the enormously destructive potential of terrorists using nuclear, biological, chemical or radiological weapons. Several terrorist groups have professed a determination to obtain weapons of mass destruction and some have even used them, fortunately without catastrophic impact. Denying them access to these materials must be a serious part of the international effort.

1. Conventional weapons

44. The Security Council has established an arms embargo against Al-Qaida, the Taliban and their associates, most recently reiterated in resolution 1617 (2005), and in resolution 1373 (2001) called on States to eliminate the supply of weapons to terrorists. But gaps remain in the control of conventional weapons. Additional efforts must be undertaken, including through creating new international instruments regulating conventional weapons, and advocating greater adherence to and fuller compliance with the existing instruments. We must promote accession to the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, and I urge Member States to step up implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons. I also urge Member States to promote the necessary legislative or other measures, including the use of authenticated end-user certificates, to ensure effective control over the export and transit of illicit small arms and light weapons.

45. Man-portable air defence systems have already been used by terrorists. It is in the interests of all Member States to make it harder for terrorists to acquire those systems and to prevent them from using such weaponry. I urge Member States to support current international, regional and national efforts to combat and prevent the illicit transfer of man-portable air defence systems and encourage them to enact or improve legislation and procedures to ban transfers of such weapons to non-State end-users and to ensure that such weapons are exported only to Governments or agents authorized by Governments. I also urge greater participation in and more

accurate reporting to United Nations-managed transparency instruments, especially the United Nations Register of Conventional Arms, and I support efforts to enlarge its scope to include small arms and light weapons.

46. The proliferation of small arms and light weapons in conflict-ridden and conflict-prone countries and regions helps to feed the terrorist supply chain. In order to prevent terrorists from acquiring weapons in conflict zones, it is critical to establish more stringent control over small arms and ammunition and to put in place more effective disarmament, demobilization and reintegration programmes. I urge the Security Council to consider a more rigorous and expeditious use of arms embargoes.

2. Nuclear, biological, chemical or radiological weapons

47. A nuclear, biological, chemical or radiological terrorist attack would have a devastatingly far-reaching impact. In addition to causing widespread death and destruction, it could deal a crippling blow to the world economy and drive millions of people into dire poverty. An ensuing effect on infant mortality could unleash a second wave of deaths throughout the developing world.

48. Our common goal must be to secure, and wherever possible eliminate, nuclear, biological, chemical or radiological weapons and implement effective domestic and export controls on dual-use materials related to weapons of mass destruction. Although there exist distinct challenges for controlling the peaceful use of each type of hazardous material, United Nations organizations like the International Atomic Energy Agency (IAEA) and the Organization for the Prohibition of Chemical Weapons have been working with Member States to address these challenges. That vital work must be strengthened.

49. Equally, States should reinforce existing non-proliferation mechanisms and create effective tools to prevent the proliferation of weapons of mass destruction and missiles, consistent with relevant international treaties. As stressed, inter alia, in the Riyadh Declaration adopted at the Counter-Terrorism International Conference held in February 2005, there is, inter alia, a need to strengthen international measures to prevent terrorists from acquiring weapons of mass destruction and to support the role of the United Nations in this respect. States must fully implement Security Council resolution 1540 (2004) by enacting and enforcing effective national legal and regulatory measures to prevent non-State actors from acquiring weapons of mass destruction. I also urge Member States to take steps specified in General Assembly resolution 60/78 on measures to prevent terrorists from acquiring weapons of mass destruction and resolution 60/73 on preventing the risk of radiological terrorism.

50. A majority of States have reported to the Security Council Committee established pursuant to resolution 1540 (2004) on the status of their planned steps in fulfilling the resolution's requirements, including those pertaining to domestic and export controls and contributions to international cooperation. Yet, as at 19 April 2006, 62 States had not yet reported to the Committee. I urge them to do so without delay. Those reports help to identify and close gaps in the system that terrorists might exploit.

51. The recent adoption of the International Convention for the Suppression of Acts of Nuclear Terrorism, which aims to assist States in thwarting terrorist groups

possessing nuclear material and in post-crisis situations by rendering the nuclear material safe in accordance with safeguards provided by IAEA, is a major advance in multilateral efforts to prevent nuclear terrorism. I call on all States to become parties to it and implement it fully. The same applies to the amended Convention on the Physical Protection of Nuclear Material. I also commend the Global Threat Reduction Initiative and the beneficial work that it has brought about.

3. The challenge of biological terrorism

52. The most important under-addressed threat relating to terrorism, and one which acutely requires new thinking on the part of the international community, is that of terrorists using a biological weapon. Biotechnology, like computer technology, has developed exponentially. Such advances herald promising breakthroughs and are one of the key battlefronts in our attempts to eliminate the infectious diseases that kill upwards of 14 million people every year. They can, however, also bring incalculable harm if put to destructive use by those who seek to develop designer diseases and pathogens.

53. We find ourselves now at a point akin to the period in the 1950s, when farsighted citizens, scientists, diplomats and international civil servants recognized the enormous potential impact, both good and bad, of nuclear power. The challenge then was to harness the power of nuclear energy for civilian purposes, and to minimize its use and spread in nuclear weapons. The result was the creation of IAEA and, eventually, the Treaty on the Non-Proliferation of Nuclear Weapons. The answer to biotechnology's dual-use dilemma will look very different. But the approach to developing it must be equally ambitious.

54. Preventing bioterrorism requires innovative solutions specific to the nature of the threat. Biotechnology is not like nuclear technology. Soon, tens of thousands of laboratories worldwide will be operating in a multi-billion-dollar industry. Even students working in small laboratories will be able to carry out gene manipulation. The approach to fighting the abuse of biotechnology for terrorist purposes will have more in common with measures against cybercrime than with the work to control nuclear proliferation.

55. Many Member States see biological weapons as a State-sponsored threat, for which the proper antidote is the Biological Weapons Convention. Indeed, the Convention does need strengthening and I hope that progress is made at the forthcoming Sixth Review Conference. Nonetheless, we need additional measures to address the problem of non-State actors.

56. International dialogue has begun through the follow-up process to the Biological Weapons Convention, while civil society has made novel efforts to address the dual-use issue. The International Committee of the Red Cross has sought to bring attention to the problem among Governments, industry and scientific communities. The International Centre for Genetic Engineering and Biotechnology, working together with various national academies of science, has drafted a code of conduct for scientists working in the biotechnology field.

57. These efforts are to be applauded but, unless they are brought together, their effects will be diffuse. What we need now is a forum that will bring together the various stakeholders — Governments, industry, science, public health, security, the public writ large — into a common programme, built from the bottom up, to ensure

that biotechnology's advances are used for the public good and that the benefits are shared equitably around the world. Such an effort must ensure that nothing is done to impede the potential positive benefits from this technology. The United Nations is well placed to coordinate and facilitate such a forum, and to bring to the table a wide range of relevant actors. I urge Member States to consider this proposal in the near future.

C. Denying access to recruits and communication by countering terrorist use of the Internet

58. Terrorist networks rely on communication to build support and recruit members. We must deny them this access, particularly by countering their use of the Internet — a rapidly growing vehicle for terrorist recruitment and dissemination of information and propaganda. In 1998, there were fewer than 20 terrorist websites. By 2005, that number was estimated by experts to have surged into the thousands. Indeed it seems that some major recent attacks drew support from content on the Internet.

59. The Internet is a prime example of how terrorists can behave in a truly transnational way; in response, States need to think and function in an equally transnational manner. Those intent on using cyberspace for terrorist purposes can do so from virtually anywhere in the world. Terrorists take advantage of differences in national responses — if blocked from operating in one State, they can simply relocate to another. In this way, the Internet can become a virtual safe haven that defies national borders.

60. States are beginning to recognize and formulate potential responses to the problem. The Tunis Agenda adopted in 2005 by the World Summit on the Information Society underlines the importance of countering terrorism in all its forms and manifestations on the Internet, while respecting human rights and in compliance with other obligations under international law.

61. Security Council resolution 1624 (2005) provides a basis for the criminalization of incitement to terrorist acts and recruitment, including through the Internet. Member States must now report to the Counter-Terrorism Committee on steps taken to implement the resolution. The Committee should continue to assist Governments to build capacity in this area, including by coordinating the identification of best practices and assessing priorities based on individual need. Member States that have not already done so should take the necessary steps to impede the use of information and communications technologies for promoting and carrying out terrorist activities. The United Nations can provide technical assistance to help States develop appropriate legislation and build legal capacity in this regard, as well as work with Member States to explore other possible actions to counter terrorist use of the Internet.

D. Denying terrorists access to travel

62. Much of international terrorist activity still relies on physical movement — using regular transportation to reach another country in order to promote their message, recruit new members, and provide explosives training or transfer money.

We need to do more to address loopholes in transport security, and to assist States in developing tools to tackle identity theft and fraudulent travel documents. In accordance with Security Council resolution 1373 (2001), the Counter-Terrorism Committee is working with States on their adoption of legislation and administrative measures to deny terrorists access to travel, and this work should be continued.

63. The international community must tackle the criminal trade in illegal documents that acts as an enabler to the terrorists' goals. The assistance project recently launched by the International Civil Aviation Organization (ICAO) aimed at bringing the passports of approximately 70 States up to the security baseline was a step in the right direction. The database of the International Criminal Police Organization (Interpol) on stolen and lost travel documents is also an effective tool in this regard, particularly as it concerns intercepting terrorists when attempting to cross borders. I urge Interpol to enhance its work on the database and likewise urge Member States to make full use of this tool, in particular by sharing relevant information with each other through the database and granting access to its law enforcement officials in the field, including at border crossings.

64. Equally, we must strengthen the effectiveness of the travel ban under the sanctions regime against Al-Qaida and the Taliban, as it appears not to have been as effective as had been hoped. The Interpol-United Nations Special Notices concerning people subject to the sanctions imposed by the Security Council regime against the Taliban, Al-Qaida and their associates are a welcome development and Member States should distribute them widely to raise awareness and increase the effectiveness of the travel ban. I encourage the Security Council, and all Member States, to take necessary steps to further strengthen the travel ban.

65. We must also work to strengthen border control, in particular in developing countries with long, poorly defined and often mountainous frontiers. Parts of the United Nations system, including the World Bank, have been working to support the reform and modernization of border management systems, facilities and institutions, at the national, regional and international levels. I urge further work in this area and highlight the need for political support within relevant countries to implement improved border management practices.

E. Denying terrorists access to their targets and the desired impact of their attacks

66. One of the most pernicious aspects of modern terrorism is the intent to cause mass casualties in public places, including those related to tourism and recreational facilities. There are, however, several examples of terrorists abandoning a planned target because it was considered too difficult to achieve their goal. Accordingly, we must work to improve the protection of soft targets as well as the security and safety of civilians affected by their attacks. In addition, we must not forget the importance of ensuring the safety of peacetime security personnel from similar attacks.

67. We also need to ensure that, in the event of an attack, the most professional life-saving responses are utilized, especially when dealing with simultaneous or repeat attacks. We need to respond in a way that denies terrorists their goal of spreading fear — when we respond we need to be clearly in control. We also must make the public aware of the real impact of that attack on the innocent people and communities affected.

68. Building State capacity to both improve the protection of soft targets and ensure the most up-to-date response is crucial, and I highlight specific initiatives in this regard in later sections of this report. Complementary to State endeavours is a range of initiatives which can be pursued in partnerships with communities and the private sector to mitigate risk.

IV. Deterring States from supporting terrorist groups

69. The 2005 World Summit Outcome reiterated the call upon States to refrain from organizing, financing, encouraging, providing training for or otherwise supporting terrorist activities and to take appropriate measures to ensure that their territories are not used for such activities. This call would be met if Member States were to fulfil their obligations regarding decisions adopted by the Security Council, as stipulated in Article 25 of the Charter of the United Nations. The Security Council, for its part, should closely monitor the implementation of its resolutions and ensure that all States act in accordance with international law in order to find, deny safe haven to and bring to justice any person who facilitates or participates in the financing, planning or commission of terrorist acts.

70. The international community has taken a number of important steps to provide a solid legal basis for common actions against the spread of terrorism, including by the adoption of 13 universal instruments related to the prevention and suppression of international terrorism, as well as of Security Council resolutions 1267 (1999), 1373 (2001), 1540 (2004), 1566 (2004) and 1624 (2005). To strengthen the Security Council's authority and role in this area, Council bodies dealing with terrorism should develop standards of accountability and compliance against which efforts of individual States can be measured, with a view to differentiating between those that are deemed able but unwilling and those that are unable to implement their obligations.

71. All States must prevent terrorist groups from operating training centres on their territory, where potential recruits are exposed to dangerous ideologies and even more dangerous skills. Where countries lack the capacity to do this, they should work with the international community to develop such capacity and promote a functioning rule of law. That also means that States must ensure that refugee status is not abused by terrorists, and that claims of political motivation are not recognized as grounds for refusing requests for the extradition of accused terrorists. It is imperative to ensure, however, that counter-terrorism efforts do not impinge on the rights of genuine asylum-seekers and refugees.

72. The Security Council has applied sanctions against a number of States found to be harbouring and assisting terrorists. Such sanctions have been crucial in dissuading several States from continued sponsorship of terrorism. This firm line must be maintained and strengthened.

73. The United Nations has from time to time been asked to conduct investigations of terrorist acts, especially when there is a suspicion of possible involvement of third parties. If States request such investigations in the future, Member States should give due consideration to the best mechanisms to resource and support such activities. The Security Council should act promptly to take the necessary decisions, including — on a case-by-case basis — under Chapter VII of the Charter, against those States or their nationals who incite or help to commit terrorist acts.

V. Developing State capacity to prevent terrorism

74. Terrorists exploit weaknesses in both developing and developed States to fund, organize, equip and train their recruits, carry out their attacks, and hide from arrest. Building capacity in all States must therefore be the cornerstone of the global counter-terrorism effort. Other parts of this report touch on a number of important initiatives in this area. This section focuses specifically on identifying practical means by which States can increase their capacity to prevent terrorism, and corresponding methods through which the United Nations can employ its comparative advantages in helping States to do so.

75. Regional and subregional initiatives have proved a valuable forum for sharing best practices and lessons learned in capacity-building, and for facilitating regional contributions to the international community's efforts. I urge States that face similar challenges to work together to strengthen capacity, including by drawing on the benefits of South-South cooperation.

76. In all areas of capacity-building, it is crucial that the assistance providers work together to maximize the impact of the overall international effort. States must also do their part to take assistance and use it to make a real difference in implementation. I urge all entities to adequately follow up to the assistance they provide, possibly by developing and enhancing existing mentorship programmes in the field.

A. Priority areas

1. Promoting the rule of law, respect for human rights, and effective criminal justice systems

77. The fundamental basis for our common fight against terrorism is respect for human rights and the rule of law. Strengthening the international legal architecture within which we strive to prevent and combat terrorism must therefore be a priority. The Security Council in resolution 1373 (2001) contributed to this end by deciding that all States should ensure that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in support of terrorist acts is brought to justice, and that such terrorist acts are established as serious criminal offences in domestic laws and regulations. States need to be able to implement and enforce these laws and bring perpetrators to justice, with due respect for human rights.

78. The United Nations can contribute significantly to helping States to develop and maintain an effective and rule of law-based criminal justice system that can fulfil these functions. For instance, the United Nations Office on Drugs and Crime has accumulated valuable experience in providing legislative and other assistance to facilitate drug control, combat transnational organized crime, money-laundering, terrorism and corruption, and enhance international cooperation, especially in extradition and mutual assistance in criminal matters. The Office's ability to do so is enhanced through the use of its 22 field offices, which play a unique role in facilitating and enhancing the provision of technical assistance to States, upon request, regarding the universal instruments related to the prevention and suppression of international terrorism. In particular, the Terrorism Prevention Branch of the Office has established itself as a provider of technical assistance in

legislative drafting and international cooperation, as well as training of criminal justice officials. Considerable work remains to be done on legislation per se, and on strengthening States' institutional structures and mechanisms to implement it. I urge the United Nations Office on Drugs and Crime to continue its much-needed work in this regard.

79. As noted earlier in this strategy, UNDP, with an unparalleled field presence in 166 countries, has a vital role to play in promoting good governance. It can integrate counter-terrorism aspects into its programmes by working for the ratification and implementation of international standards for combating terrorism, by supporting and enhancing the capacity of justice and law enforcement systems, and by providing a strong focus on adherence to international human rights law. In addition, the Department of Peacekeeping Operations has been and continues to be uniquely positioned to provide training to national police on criminal matters including kidnapping, hostage-taking, and the investigation of assassinations, murders and bombings, and I urge it to continue its work in strengthening national police capacity. At the same time we must ensure that all police forces understand the implications of human rights work. OHCHR should therefore continue to employ tools to increase awareness of international human rights law, especially in the context of terrorism and counter-terrorism.

2. Promoting quality education and religious and cultural tolerance

80. UNESCO has a lead role to play in the vital area of education and promotion of tolerance, including through inter-faith and intra-faith dialogue. It should scale up existing programmes for strengthening the capacity of educational systems worldwide to integrate human rights education, internationally shared values, mutual understanding, conflict prevention and critical thinking into every aspect of States' educational systems, including through the development of curriculum standards, the training of teachers, and the approval of school textbooks.

3. Countering the financing of terrorism

81. Various United Nations organizations and their partners, in particular the International Monetary Fund (IMF), the World Bank, the United Nations Office on Drugs and Crime, and Interpol, already work to ensure that States have in place the laws and institutions to comply fully with international norms and obligations to combat money-laundering and financing of terrorism.

82. I encourage an increase in the training of relevant criminal justice personnel, as well as technical assistance that takes into account the level of development of the financial sectors and the specific risks that apply to each individual country. I also urge further development of joint initiatives, such as the working group established by the United Nations Office on Drugs and Crime and Interpol for the delivery of technical assistance for anti-money-laundering and combating the financing of terrorism technical assistance, as well as the expansion of relevant databases.

4. Ensuring transport security

83. Terrorist groups have long displayed a particular interest in carrying out attacks against critical infrastructure, including transport systems and the transport of passengers and goods by sea and air. Several transport-related entities in the

United Nations system, in particular the International Maritime Organization (IMO), the World Customs Organization (WCO), and ICAO already play a critical role in strengthening Member States' capacity to protect themselves in areas ranging from container security to protection against the use of man-portable air defence systems. I welcome in particular the adoption in 2004 of a strengthened International Ship and Port Facility Security Code, enforced by IMO.

84. I urge the IMO, WCO and ICAO to continue to strengthen their cooperation, and to work to identify any areas of transport security that are neglected by States. I also support the expansion of each organization's technical assistance programmes, and urge States to make use of them to ensure that international standards are implemented. All States should implement the updated ICAO standards of November 2005 and the WCO Framework of Standards to Secure and Facilitate Global Trade of June 2005. In addition, I encourage the Counter-Terrorism Committee Executive Directorate to continue to develop its work, through country visits and in close cooperation with IMO and ICAO, to identify the needs of States, including the protection of critical infrastructure. The Executive Directorate should also explore ways to facilitate the dissemination of best practices, with due regard to confidentiality.

5. Harnessing the power of the Internet to counter terrorism

85. Previous sections of this report have highlighted the pressing need for the international community to counter terrorist use of the Internet. Conversely, all States must fully harness the power of the Internet as a means to counter terrorism. In this sense, we can turn one of the terrorists' favourite tools against them. The Internet is a powerful and unparalleled tool for countering the spread of the ideologies of terrorism, focusing on the plight of victims, linking communities and educational establishments in different countries, and gathering and sharing information on terrorist suspects. States should work together to maximize the impact of the Internet in all of these areas, with due respect to confidentiality.

6. Improving the protection of soft targets and the response to attacks on them

86. The capacity to protect soft targets and respond to attacks on them is highly uneven among Member States, and regrettably may be weakest where it is needed most. I urge Member States to review the existing United Nations mandates related to assistance for building the capacity to prevent terrorist attacks on the general population. The United Nations system should also identify and strengthen ways to broker the exchange of best practices between Member States in this area. I urge Interpol to work with the Secretariat, in particular the Department of Safety and Security, which is situated to engage with Member States in the field, to that end. As many targets of terrorists, such as infrastructure, shops and restaurants, are in private ownership, more attention should be paid to developing public-private partnerships. I also urge the United Nations Office on Drugs and Crime, in collaboration with the United Nations Interregional Crime and Justice Research Institute, to continue its work to facilitate protection against terrorist attacks on large-scale events and gatherings.

7. Strengthening State capacity to prevent terrorists from acquiring nuclear, biological, chemical, or radiological materials, and ensuring better preparedness for an attack with such materials

87. The International Atomic Energy Agency and the Organization for the Prohibition of Chemical Weapons have been active in helping States to build capacity to prevent terrorists from accessing nuclear, biological, chemical or radiological materials, and to respond effectively in the event of an attack using such materials. I urge them to work together to identify and address any gaps in this area.

88. In addition, I suggest that Member States examine the possibility of asking the Security Council to promote facilitation of technical assistance to counter terrorist development, acquisition, and use of weapons of mass destruction, through the Counter-Terrorism Committee Executive Directorate and the group of experts who assist the Committee established pursuant to resolution 1540 (2004). In addition, the General Assembly and the Security Council may wish to consider adopting a resolution calling on all States to provide the necessary cooperation and assistance in the event of a terrorist attack using weapons of mass destruction. It may also be necessary to develop or review guidelines for Member States on their response to such an attack, in particular steps to report it and to request international assistance.

89. To prevent terrorists from acquiring chemical materials, States should ensure that security at chemical plants is kept to the highest standard, and I urge the relevant United Nations entities to provide assistance where needed. A mechanism should also be developed to allow the Organization for the Prohibition of Chemical Weapons, in cooperation with other relevant United Nations actors, to provide necessary assistance and coordinate the response and relief operations in case of a chemical weapon attack or the release of chemical agents.

90. To help prevent and ensure preparedness for a biological attack, a major initiative is needed to strengthen States' public health systems. Improving the world's health systems will have multiple positive impacts, including reducing the number of people that die each year of infectious disease. The same measures can deny those terrorists tempted to use pathogens for nefarious purposes both their targets and their desired impact. The World Health Organization (WHO) has done good work in providing technical assistance to help States to improve their public health systems, but efforts must be stepped up dramatically. Support from Member States — in the form of resources, political will and cooperation — is vital. In addition, the United Nations should work to develop a single comprehensive database on biological incidents and promote information-sharing to facilitate threat and risk assessment and support criminal investigation. Updating the roster of biological experts and laboratories at the disposal of the Secretary-General is also necessary.

91. Overall, the United Nations must improve coordination in planning a response to a terrorist attack using weapons of mass destruction. In particular, it will be necessary to review and improve the effectiveness of the existing inter-agency coordination mechanism for assistance delivery and relief operations, including risk assessment, emergency response and crisis management, and victim support, as well as emergency recovery plans, so that all States can receive adequate assistance. The United Nations humanitarian response mechanisms are available in case terrorist attacks have major humanitarian implications and international assistance is

required. Several reform initiatives are already under way that would strengthen the ability of the humanitarian community to respond rapidly and effectively to humanitarian emergencies in general.

B. Providing proper resources to counter terrorism

92. Demands by Member States on United Nations entities to provide technical assistance have increased dramatically in recent years. This unprecedented growth in demand has not been matched by the required increase in resources, however. Moreover, much of the United Nations technical assistance delivery in the area of counter-terrorism is financed through voluntary funding, which tends to be volatile and prevents entities from engaging in long-term planning. I call on Member States to explore additional and more reliable sources of funding.

93. For example, it is estimated that the demand for, and delivery of, the technical assistance services of the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime has increased at least threefold since 2003, in terms of the substantive content and the quantity of required activities. At the same time, the core resource allocation for the Branch — for providing the specialized expertise and carrying out the core backstopping functions — has remained the same since 2003, making it necessary for resource requirements to be met through voluntary assistance, which has significant operational drawbacks. Member States should therefore consider additional regular budget funding for these types of activities.

C. Promoting United Nations system-wide coherence in countering terrorism

94. A remarkably wide array of organizations, departments, agencies, units and groups in the United Nations system and among its partners are actively involved in building State capacity to prevent terrorism. Indeed, the Counter-Terrorism Implementation Task Force counts members representing 23 different entities. Many of them are independent organizations and specialized agencies with their own governing arrangements. Annex I to the present report presents an overview of their wide-ranging activities.

95. This organizational fragmentation emphasizes the breadth of activities undertaken by the United Nations system in this area. It also reflects the need for specialized and multifaceted responses to tackle the complex threat of terrorism. At the same time, it requires us to ensure that the work of the United Nations is coherent and that scarce resources are not wasted through inadequate sharing of information and duplication of work. Only by means of a strong push to improve cooperation and coordination can the United Nations realize its full potential in assisting States to build their capacity to counter terrorism.

96. The Counter-Terrorism Committee, established pursuant to Security Council resolution 1373 (2001), is at the core of our efforts to improve the coherence and efficiency of technical assistance delivery. Resolution 1373 (2001) mandates the Committee not only to monitor compliance but also to facilitate the provision of technical assistance to States that would enhance their capacities to implement their counter-terrorism obligations. The Committee's initial request for States to report on

their efforts to implement resolution 1373 (2001) produced an overwhelmingly positive response. As of the time of writing, all 191 Member States have sent at least one report to the Committee. Many have submitted two, three or more reports. Through these reports, the world has gained, for the first time, a global overview of the laws and institutional arrangements that are in place in Member States and the ability to identify where shortfalls exist.

97. To reinforce the Counter-Terrorism Committee's efforts towards more effective collaboration and State capacity-building, the Committee established the Counter-Terrorism Committee Executive Directorate, which became fully operational late in 2005. Through the Executive Directorate's on-site visits to capitals, and dialogue with States and with relevant international, regional and subregional organizations, the Committee has moved beyond its focus on written reports and improved its ability to monitor and assess what actions States are actually taking to combat terrorism. The Executive Directorate also enhances the Committee's capacity to identify and prioritize the technical assistance needs of Member States.

98. The Counter-Terrorism Committee Executive Directorate has carried out 7 on-site visits so far, and plans to complete 10 more by the end of 2006. I applaud the fact that the Executive Directorate was joined on the visits by representatives of other entities of the United Nations system and on occasion even by regional organizations. I urge relevant organizations to build further on such synergies among various entities. Once assessments are carried out, available human and financial resources for the provision of technical assistance should be matched to the need.

99. I also welcome development of a new assessment tool which allows the Counter-Terrorism Committee Executive Directorate to assess, in a systematic and transparent manner, to what degree States have implemented the obligations laid down in Security Council resolution 1373 (2001). This will allow the Executive Directorate to establish priority areas within countries. Technical assistance providers, including bilateral donors, should be forthcoming, with due respect to confidentiality, in sharing information on the technical assistance projects that are under way or completed. I urge the Executive Directorate to work closely with all technical assistance providers and share information that might be helpful for them in their assistance programmes.

1. Improving information-sharing

100. Given the wide range of United Nations entities working on counter-terrorism issues, it is crucial that the coordination and sharing of information is enhanced to the fullest degree possible. To this end, I recommend the creation of an informal group, to include United Nations technical assistance providers, as well as donors and recipients, which could meet once or twice per year to exchange information.

101. Such coordination will also need to include better sharing of information in the field. Several innovative mechanisms could be adopted to that end.

102. First, I will ensure that information on all available United Nations counter-terrorism resources will be made available in one place — in the form of an online handbook. This is needed both by States and by United Nations country teams. It should contain, inter alia, contact details of focal points for United Nations bodies

and assistance providers. It should also make clear where to look for relevant resources, including best practices available in key areas and frequently asked questions. I ask the Counter-Terrorism Implementation Task Force to work with the relevant entities to create such a handbook as soon as possible.

103. Second, technical assistance delivery activities need to be better coordinated and reinforced at the country level. We need to make the best use of existing United Nations country offices. We should have United Nations system-wide focal points and a natural flow of information around the system, in particular to and from the field, as work goes forward on counter-terrorism, to make sure it is done in the context of the United Nations overall approach in any country. Resident coordinators and other senior officials in the field are in a prime position to detect signs of popular sympathy for terrorist groups or ideologies, extremist recruitment and hate media. By bringing this to the attention of the United Nations system and the international community, they can help to promote early action.

104. Third, synergies among international, regional and subregional organizations should be enhanced. We need to reinforce and maximize existing arrangements and mechanisms and establish new channels of cooperation, with due respect to confidentiality. The United Nations, in particular the United Nations Office on Drugs and Crime and the Counter-Terrorism Committee Executive Directorate, can be instrumental in helping to establish regional counter-terrorism mechanisms and centres. Full flow of information is critical; shared analysis and assessment by all actors in a particular country is a priority. We should strive for shared assessment visits between organizations to help to reduce the burden on States.

2. Streamlining reporting mechanisms

105. Excessively burdensome reporting obligations are a problem throughout the United Nations system, as emphasized in my recently released report entitled "Mandating and delivering: analysis and recommendations to facilitate the review of mandates" (A/60/733). With regard to reporting mechanisms related to counter-terrorism, a number of practical steps can help to alleviate the problem.

106. First, an assessment should be made of the extent to which lack of energy and interest, lack of will, or lack of capacity has led to a fall-off in reporting to the Security Council as called for in resolutions 1267 (1999) and its successors, resolutions 1373 (2001) and 1540 (2004).

107. Second, as the majority of States that have not reported to all three Committees are in specific regions, the Committees could examine a regional approach to raising awareness of the issues. Without undermining the principle that each State must submit a separate report, the Council could identify a mechanism or a relevant Member State that could offer help and advice to States of a region.

108. Third, the Committees should make every effort to coordinate requests for information, both among themselves and with other international organizations, to ensure that they are aware of information already submitted and to avoid separate requests for similar information. The 2005 World Summit Outcome encouraged the Security Council to consider ways to consolidate State reporting requirements, taking into account and respecting the different mandates of its counter-terrorism subsidiary bodies. I hope that the Security Council can consider and take action on the recommendations already made by the expert groups that support its counter-

terrorism committees. In addition, requests for information should be tailored to the recipient State. The period between requests should be long enough to allow States time to implement or review relevant national legislation or procedures so as to avoid multiple reports which provide little new information.

3. Institutionalizing the Counter-Terrorism Implementation Task Force

109. The Counter-Terrorism Implementation Task Force, based in my Office, is an important mechanism with the potential for ensuring overall coordination and coherence in the United Nations system's counter-terrorism efforts. Given its success so far, not only in helping me to develop recommendations for a counter-terrorism strategy but also in promoting cooperation among relevant United Nations entities, I am taking steps to institutionalize the Task Force within the Secretariat. This will include creating a small support function within my Office to coordinate and develop its activities, in particular implementing the outcomes of the deliberations of Member States on the recommendations contained throughout this report.

VI. Defending human rights in the context of terrorism and counter-terrorism

110. As I stated at the beginning of this report, inherent and essential to any counter-terrorism strategy is ensuring the defence of human rights. Proposals for safeguarding human rights have been highlighted throughout the sections on dissuasion, denial, deterrence and development of State capacity. To underline other important human rights considerations that must be fully taken into account and incorporated when countering terrorism, I focus on human rights in its own section here.

111. In General Assembly resolution 54/164, Member States reiterated their unequivocal condemnation of the methods and practices of terrorism, in all its forms and manifestations, as activities aimed at the destruction of human rights, fundamental freedoms and democracy. In that resolution, Member States moreover once again recognized that such acts threaten the territorial integrity and security of States, destabilize legitimately constituted Governments, undermine pluralistic civil society, and have adverse consequences for the economic and social development of States. No end justifies intentionally attacking civilians and non-combatants. Terrorist acts are violations of the right to life, liberty, security, well-being and freedom from fear. Therefore, adopting and implementing effective counter-terrorism measures is also a human rights obligation for States.

112. At the same time, in the fight against terrorism, we must never sacrifice our values and lower our standards to those of the terrorists. International cooperation to fight terrorism must be conducted in full conformity with international law, including the Charter of the United Nations and relevant international conventions and protocols. It is an obligation of States to ensure that any measures taken to combat terrorism comply with their obligations under international law, in particular human rights law, refugee law and international humanitarian law.

113. Only by placing counter-terrorism within a rule-of-law framework can we safeguard the internationally valued standard that outlaws terrorism, reduce the

conditions that may generate cycles of terrorist violence, and address grievances and resentment that may be conducive to terrorist recruitment. To compromise on the protection of human rights would hand terrorists a victory they cannot achieve on their own. And when human rights are abused as part of a campaign against terrorism, terrorists exploit the abuse to mobilize recruits and seek to further justify their actions. To this end, States should ratify and implement the core international human rights instruments and accept the competence of international and national human rights monitoring bodies, including those entrusted with monitoring all places where people are deprived of their liberty.

114. International human rights experts continue to express concern that many counter-terrorism measures infringe on human rights and fundamental freedoms. Pursuant to General Assembly resolutions 57/219, 58/187 and 59/191, I have submitted reports on protecting human rights and fundamental freedoms while countering terrorism. The Office of the United Nations High Commissioner for Human Rights should continue to play a lead role in examining this question, make general recommendations on the obligation of States, and provide them with assistance and advice should they request it.

115. In July 2005, the Commission on Human Rights appointed a Special Rapporteur on the protection and promotion of human rights and fundamental freedoms while countering terrorism. This was a step forward in ensuring the compatibility of counter-terrorism measures with international human rights law. By corresponding with Governments, making country visits, liaising with the United Nations and regional organizations, and reporting on these issues, the Special Rapporteur supports and offers concrete advice to States. The establishment of the new Human Rights Council offers another opportunity to incorporate human rights into our counter-terrorism efforts and, as it takes shape, the Council should bear in mind the reality of terrorism.

116. Earlier in this strategy, I applauded Security Council resolution 1624 (2005), which attempts to address incitement to terrorist acts. I also urged States, working closely with the Counter-Terrorism Committee, to take the necessary steps to impede the use of information and communications technologies for promoting and carrying out terrorist activities. We must be vigilant, however, to the risk of abusive Governments invoking measures against incitement to terrorism for their own purposes, perhaps to target peaceful political opponents. Nonetheless, addressing the issue of incitement is vital. I urge further work in this area, in full compliance with international human rights standards and with due regard to the Council of Europe Convention on the Prevention of Terrorism.

117. Another highly important issue relates to the topic of due process and listing. In paragraph 109 of the 2005 World Summit Outcome, the Security Council is called upon, with my support, to ensure that fair and clear procedures exist for placing individuals and entities on sanctions list and removing them, as well as for granting humanitarian exemptions. Pursuant to that mandate, and in accordance with paragraph 20 of the report on the implementation of decisions from the 2005 World Summit Outcome for action by the Secretary-General (A/60/430), I have asked the Office of Legal Affairs of the Secretariat to begin an interdepartmental process, in close cooperation with the Department of Political Affairs and OHCHR, to develop proposals and guidelines that would be available for consideration by the Security Council. In the meantime, the Committee established pursuant to resolution 1267

(1999) has approved a partial revision of its Guidelines and is urged to continue its discussions of listing and de-listing, including those recommendations from the reports of the Analytical Support and Sanctions Monitoring Team of the Committee, which has consistently pointed to the need to address these issues.

118. Upholding and defending human rights — not only of those suspected of terrorism, but also of those victimized by terrorism and those affected by the consequences of terrorism — is essential to all components of an effective counter-terrorism strategy. Only by honouring and strengthening the human rights of all can the international community succeed in its efforts to fight this scourge.

VII. The road ahead

119. Member States now have an historic opportunity to take up the challenge issued by world leaders in September 2005, and reach universal agreement on a counter-terrorism strategy. Such a step would not only demonstrate the resolve of the international community to deal definitively with the scourge of terrorism; it would also create a basis for a truly global response. All States, in every region, large or small, strong or weak, are vulnerable to terrorism and its consequences. They all stand to benefit from a strategy to counter it. They all have a role to play in shaping such a strategy and translating it into reality.

120. Agreement on a strategy, therefore, will be only the beginning. Member States will need to ensure that it is a living strategy, one that is regularly updated to respond to evolving challenges. Even more important, they will need to ensure its full implementation. I hope that, as Member States agree to an initial strategy, they will also agree to review it regularly and to ensure accountability through follow-up.

121. The various institutions of the United Nations system have an important role to play in that follow-up, and I will ask the Counter-Terrorism Implementation Task Force to provide support and facilitate coordination. This is a task we must all own if we are to unite against terrorism and ensure that our children inherit a safer, more secure world.

Annex I

Inventory of United Nations counter-terrorism activities

Objectives	*Activities*
Dissuading people from resorting to terrorism or supporting it	The **United Nations Educational, Scientific and Cultural Organization** promotes dialogue among civilizations, cultures and peoples, supports inter-religious and inter-faith dialogue, and fosters quality education through strengthening transboundary cooperation and training in science. The UNESCO Culture of Peace programme assists civil society organizations in denouncing terrorist acts as inexcusable. The **Special Representatives and Envoys of the Secretary-General**, in providing mediation support and backstopping the **Department of Political Affairs**, have helped to facilitate peace agreements in 13 conflicts around the world since 2001. The creation of a mediation support unit in the Department and the **Peacebuilding Support Office** will further enhance the United Nations peacemaking and peacebuilding capacity. The **United Nations Development Programme** supports Member States in constructive engagement with disaffected groups prone to violence and promotes their political inclusion as a means of addressing grievances. UNDP has organized dialogue forums and activities such as "Democratic Dialogue" by the Regional Bureau for Latin America and the Caribbean and the "African Futures" initiatives by the Regional Bureau for Africa. The **Department of Public Information** works with media, educational institutions, non-governmental organizations and civil society to promote respect, tolerance and cultural diversity. The Department organizes a series of seminars entitled "Unlearning intolerance" that focuses on combating anti-Semitism, Islamophobia, and hate media.
Denying terrorists the means to carry out an attack	**Denying terrorists financial support** • Under the **Al-Qaida and Taliban sanctions regime**, 34 States have frozen at least $93.4 million in assets as of January 2006 of individuals and groups whose names appear on the consolidated list of the Committee established pursuant to resolution 1267 (1999). • The **Counter-Terrorism Committee** and the **Counter-Terrorism Committee Executive Directorate** have assessed the relevant financial legislation of all 191 Member States and provided recommendations for improvements. **Denying terrorists access to deadly weapons, including weapons of mass destruction** • The **International Atomic Energy Agency** implemented a Plan of Activities to Protect against Nuclear Terrorism (2002-2005) and has approved a Nuclear Security Plan for 2006-2009. More than 100 evaluation missions have been conducted for assessment, and as a result 38 high-activity radioactive sources

Objectives *Activities*

were identified and secured in newly independent States and nearly 70 sources with radioactivity totalling 1,000 terabecquerels were recovered from States and repatriated to their supplier.

- The **Organization for the Prohibition of Chemical Weapons** has inventoried and inspected 70,000 tons of chemical agent. So far, more than half of the former chemical weapons production facilities in the world have been either completely destroyed or converted for peaceful purposes.

- The **Department for Disarmament Affairs** facilitates the greater participation of Member States in transparency instruments such as the United Nations Register of Conventional Arms and provides support to Member States implementing the Programme of Action on Small Arms and the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons.

- The **Committee established pursuant to resolution 1540 (2004) and its experts** have examined reports from 127 States and one organization (the European Union) on their efforts to meet the requirements of Security Council resolution 1540 (2004). They have worked to identify deficiencies and suggest improvements in preventing access by non-State actors to weapons of mass destruction and their components.

Denying terrorists access to travel

- **Interpol** facilitates cross-border police cooperation and supports and assists all organizations, authorities and services whose mission is to prevent or combat international crime. It also maintains a global database that tracks lost and stolen travel documents.

- The **International Maritime Organization** provides an internationally agreed and implemented regulatory regime for ship and port facilities and is expecting to commence consideration of the Framework of Standards to Secure and Facilitate Global Trade. IMO is developing a mandatory mechanism for the global long-range identification and tracking of ships.

Denying terrorists access to their targets and their desired impact

- Military and civilian police components of **United Nations peacekeeping operations** have provided a more secure environment in 16 conflict zones all over the world in the last five years. This has helped to deny terrorists opportunities to recruit and to conduct their operations.

- **Interpol** has issued several Orange Notices to warn police, public bodies and international organizations of possible threats from hidden weapons, parcel bombs and other dangerous materials.

Objectives	*Activities*
Deterring States from supporting terrorist groups	The United Nations Security Council has imposed travel bans and financial sanctions against members of Al-Qaida and associated entities. The **Al-Qaida and Taliban Monitoring Team** has submitted four major reports and other documentation to the Committee established pursuant to resolution 1267 (1999) regarding the implementation of sanctions by Member States, as mandated under Security Council resolution 1617 (2005). **Thirteen universal instruments** have been developed and adopted at the United Nations that have criminalized specific acts of terrorism including hijacking, hostage-taking and nuclear terrorism. Together with the Security Council resolutions 1267 (1999), 1373 (2001), 1540 (2004), 1566 (2004) and 1624 (2005), those conventions provide a legal framework for multilateral actions against terrorism.
Developing State capacity to prevent terrorism	The **Counter-Terrorism Committee Executive Directorate** has received more than 630 reports from Member States on the implementation of Security Council resolution 1373 (2001); identified the technical assistance needs of 90 Member States and conducted numerous field visits; and created a Directory of Assistance on standards, practices and sources of counter-terrorism assistance. **Promoting the rule of law and effective criminal justice systems** • The **United Nations Office on Drugs and Crime** has assisted 112 countries in becoming parties to and implementing the universal instruments related to the prevention and suppression of international terrorism, and provided legislative advice on counter-terrorism to 67 countries. It has also developed or is in the process of developing nine technical assistance tools aimed at assisting countries in strengthening their legal regimes against terrorism • With its field presence in 166 countries, the **United Nations Development Programme** undertakes numerous activities to promote the rule of law, including programmes to support the implementation of anti-money-laundering legislation, the strengthening of judiciary systems, and the developing of institutional capacity in prosecutors' offices. • The **Department of Peacekeeping Operations** provides training to national police on criminal matters including kidnapping, information-gathering, hostage-taking, close protection, and the investigation of assassinations, murders and bombings. • The **Office of Legal Affairs** prepares publications such as *National Laws and Regulations on the Prevention and Suppression of International Terrorism*, and has organized six annual treaty events which facilitated the entry into force of treaties. During the 2005 treaty event, 82 States signed the International Convention for the Suppression of Acts of Nuclear Terrorism. **Promoting quality education and religious and cultural tolerance** • The **United Nations Educational, Scientific and Cultural Organization** provides learning materials and curricula to promote inclusive pedagogies and diversified content, and has promoted inter-university solidarity and

Objectives	*Activities*
	dialogue through the network of 550 UNESCO Chairs and the UNITWIN programme, which provides opportunities for young people in all regions. UNESCO has also prepared a code of conduct for scientists to help deter the use of scientific work for terrorist purposes.
	Countering the financing of terrorism
	• The **International Monetary Fund** has conducted 40 country assessments on anti-money-laundering and combating the financing of terrorism capacity, and undertaken over 200 bilateral technical assistance missions since 2001 to assist in legislative drafting and in the establishment and strengthening of financial sector supervision.
	• The **World Bank** has assessed measures of compliance with international anti-money-laundering and counter-terrorism financing standards in 26 countries, and has delivered technical assistance to countries in all developing regions.
	• The **United Nations Office on Drugs and Crime** continues to deploy professional expertise in the field to train relevant authorities and build institutions to improve anti-money-laundering and combat the financing of terrorism capacity. In addition the Office maintains a database on anti-money-laundering legislation.
	Ensuring transport security
	• The **International Civil Aviation Organization** assesses the level of implementation by States of security-related standards as contained in annex 17 to the Convention on International Civil Aviation. ICAO also assists States in protecting aircraft against attacks by man-portable air defence systems, and has worked to enhance the security of the passports of approximately 70 States.
	• The **World Customs Organization** adopted a Framework of Standards to Secure and Facilitate Global Trade in March 2006 and will complete 51 capacity-building missions to 51 countries by June 2007.
	• Through the Global Programme on Maritime Security, the **International Maritime Organization** has conducted 32 country advisory missions and trained approximately 3,800 people on methods for ensuring maritime security.

Objectives	*Activities*
	Preventing terrorists from acquiring nuclear, biological, chemical or radiological materials, and ensuring better preparedness for an attack with such materials
	• The **World Health Organization** supports the implementation of the International Health Regulations (2005), which ensures rapid reporting of disease outbreaks. WHO has detected over 1,000 epidemics of international importance and provided field support for more than 100 of those outbreaks. In addition, WHO has developed a global laboratory network that aggregates the laboratory capacity to respond to outbreaks and biological threats.
	• The **International Atomic Energy Agency** has held training and education activities reaching 1,500 participants to enhance Member States' capacity to address nuclear security issues, and has been working on assisting States in establishing an effective regulatory infrastructure, improving physical protection at facilities with nuclear and other radioactive materials, strengthening capabilities at borders to detect and respond to illicit nuclear trafficking, and establishing preparedness to respond to acts of nuclear or radiological terrorism.
	Improving the defence of soft targets and the response to their attack
	• The **Department of Safety and Security** is developing counter-terrorism expertise and has undertaken security support operations in 150 States. The Department, **Interpol** and the **Office for the Coordination of Humanitarian Affairs** are also working together to develop emergency response capacity for security threats, including terrorism.
	Promoting United Nations system-wide coherence in countering terrorism
	The **Counter-Terrorism Implementation Task Force**, established in 2005 by the Secretary-General, works to ensure overall coordination and coherence among 23 entities throughout the United Nations system involved in counter-terrorism efforts.
Defending human rights in the context of terrorism and counter-terrorism	The **Office of the United Nations High Commissioner for Human Rights** provides assistance and advice to Member States, upon their request, on the protection of human rights and fundamental freedoms while countering terrorism, including the review and development of anti-terrorism legislation. OHCHR provides training for law enforcement and security officials, in order to build the necessary skills to implement international human rights instruments. OHCHR has worked with the **Department of Public Information** to produce reports and tools to increase awareness of international human rights law in the context of terrorism and counter-terrorism, including the publication of the *Digest of Jurisprudence of the United Nations and Regional Organizations on the Protection of Human Rights while Countering Terrorism*.

Objectives	*Activities*
	The **Special Rapporteur on the promotion and protection of human rights while countering terrorism** works to identify, exchange and promote best practices on measures to counter terrorism that respect human rights and fundamental freedoms. The Special Rapporteur also provides, at the request of Member States, advisory services and technical assistance. The **Office of Legal Affairs**, in collaboration with the **Department of Political Affairs** and the **Office of the High Commissioner for Human Rights**, is developing proposals and guidelines for Member States on fair and clear procedures for placing and removing individuals and entities on United Nations sanctions lists.

Annex II

Status of universal instruments related to the prevention and suppression of international terrorism*

1. **Convention on Offences and Certain Other Acts Committed on Board Aircraft**.

Signed at Tokyo on 14 September 1963; entered into force on 4 December 1969; 180 parties.

2. **Convention for the Suppression of Unlawful Seizure of Aircraft**.

Signed at The Hague on 16 December 1970; entered into force on 14 October 1971; 181 parties.

3. **Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation**.

Signed at Montreal on 23 September 1971; entered into force on 26 January 1973; 183 parties.

4. **Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation**.

Signed at Montreal on 24 February 1988; entered into force on 6 August 1989; 156 parties.

5. **Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents**.

Adopted by the General Assembly of the United Nations on 14 December 1973; entered into force on 20 February 1977; 161 parties.

6. **International Convention against the Taking of Hostages**.

Adopted by the General Assembly of the United Nations on 17 December 1979; entered into force on 3 June 1983; 153 parties.

7. **Convention on the Physical Protection of Nuclear Material**.[a]

Signed at Vienna on 3 March 1980; entered into force on 8 February 1987; 116 parties.

8. **Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation**.[b]

Done at Rome on 10 March 1988; entered into force on 1 March 1992; 135 parties.

---

* Status as at 25 April 2006. The status reflects information provided by the depositaries or information that is available on their respective websites. It does not take into account any treaty action that was undergoing processing at the time of writing of the present report.

[a] On 8 July 2005, the Amendment to the Convention on the Physical Protection of Nuclear Material was adopted by the Conference to Consider Proposed Amendments to the Convention on the Physical Protection of Nuclear Material.

[b] On 14 October 2005, the Protocol of 2005 to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation was adopted by the Diplomatic Conference on the Revision of the SUA Treaties.

9. **Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf.**[c]

Done at Rome on 10 March 1988; entered into force on 1 March 1992; 124 parties.

10. **Convention on the Marking of Plastic Explosives for the Purpose of Detection**.

Signed at Montreal on 1 March 1991; entered into force on 21 June 1998; 125 parties.

11. **International Convention for the Suppression of Terrorist Bombings**.

Adopted by the General Assembly of the United Nations on 15 December 1997; entered into force on 23 May 2001; 146 parties.

12. **International Convention for the Suppression of the Financing of Terrorism**.

Adopted by the General Assembly of the United Nations on 9 December 1999; entered into force on 10 April 2002; 153 parties.

13. **International Convention for the Suppression of Acts of Nuclear Terrorism**.

Adopted by the General Assembly of the United Nations on 13 April 2005; not yet entered into force; 2 parties.

[c] On 14 October 2005, the Protocol of 2005 to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf was adopted by the Conference on the Revision of the SUA Treaties.